***THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY***

***WRIT PETITION No.27926 of 2005***

**Date: 30.12.2005**

Between:

B.V.S.S.N.M.Rao

**.. PETITIONER**

AND

APSRTC and others.

**.. RESPONDENTS**

**ORDER:**

The petitioner challenges the order, dated 28.09.2005, through which he was retired from service on medical grounds. The petitioner states that if he is found to be medically unfit, he is entitled to be extended the benefit under the provisions of the Persons With Disabilities (equal opportunities, protection of rights and full participation) Act, 1995 (for short 'the Act') or other benefits under the Circulars issued by the Corporation.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents.

It is true that the impugned order does not refer to any of the benefits, be it under the Act or the Circulars issued by the Corporation. The circumstances, under which such an omission has taken place, are not before this Court. The Service Regulations of the Corporation provide for an alternative remedy of appeal to the Divisional Manager. The petitioner can avail the same, and the

appellate authority would be in a better position to appreciate the matter from the factual as well as the legal aspects.

Hence, the Write Petition is disposed of, leaving it open to the petitioner to work out his remedies by filing an appeal before the Divisional Manager. If the appeal is presented by the petitioner, it shall be disposed of within a period of three (3) months from the date of presentation of the same. There shall be no order as to costs.

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**30.12.2005**

**Jsu**